

PROB 120

Report Date: May 5, 2016  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**United States District Court**

for the  
**Eastern District of Washington**

SEAN F. McAVOY, CLERK  
SPOKANE, WASHINGTON

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: James Greg Gutierrez

Case Number: 0980 2:12CR00044-JLO-2

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Justin L. Quackenbush, Senior U.S. District Judge

Date of Original Sentence: September 28, 2012

Original Offense: Count 1: Manufacture of Marijuana, 21 U.S.C. § 841(a)(1)  
Count 2: Unlawful User of a Controlled Substance in Possession of a Firearm,  
18 U.S.C. §§ 922(g)(3) and 924

**Asst. U.S. Attorney:** Matthew F. Duggan      **Date Supervision Commenced:** October 28, 2012

Defense Attorney: John Stephen Roberts, Jr. Date Supervision Expires: October 27, 2017

## PETITIONING THE COURT

To incorporate the violation contained in this petition in future proceedings with the violation(s) previously reported to the Court on February 2, 2016.

The probation officer believes that the offender has violated the following condition of supervision:

**Violation Number**      **Nature of Noncompliance**

2 **Mandatory Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** On April 11, 2016, Mr. Gutierrez reported to Alcohol Drug Education Prevention and Treatment (ADEPT) in Colville, Washington, for the purpose of submitting a urine sample for substance abuse testing. The submitted sample tested presumptive positive for cocaine. The offender denied use of any illegal substance, and the sample was then sent to the laboratory for confirmation testing. The laboratory results have been received and reviewed and show a positive result for cocaine metabolite.

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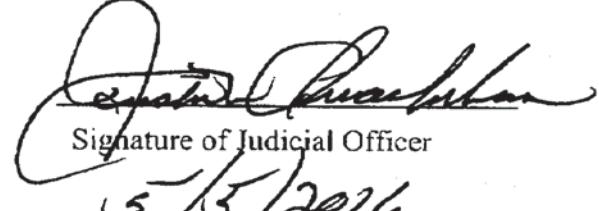
I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 05/05/2016s/Charles J. KuipersCharles J. Kuipers  
U.S. Probation Officer

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**THE COURT ORDERS**

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation contained in this petition with the other violation pending before the Court.
- Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- Other

  
Signature of Judicial Officer  
5/5/2016  
Date